

EXHIBIT 2

For Federal civil complaint

**-- PLAINTIFF'S DECLARATION IN SUPPORT
OF DOCUMENT #2 COMPLAINT, AND NEW
EVIDENCE CONCERNING NEW FOIA
DOCUMENT RELEASE FROM DEFENDANT
EOUSA 1 DAY AFTER CALL-IN APPEARANCE
ON INFOWARS NEW SHOW "WAR ROOM"
WITH OWEN SHROYER --**

**Brian David Hill v. Executive Office
for United States Attorneys (EOUSA),
United States Department of Justice
(U.S. DOJ)**

Civil Case Number 4:17-cv-00027



U.S. Department of Justice

*Executive Office for United States Attorneys
Freedom of Information Act & Privacy Act Staff*

Bicentennial Building
600 E Street, NW, Suite 7300
Washington, DC 20530

(202) 252-6020
(202) 252-6047 Fax

September 13, 2017

Brian D. Hill
310 Forest Street, Apt. 2
Martinsville, VA 24112

Re: Request Number: FOIA-2016-03570; *Hill v. EOUSA*, CASE NO. 4:17-CV-00027 (WDVA)

Date of Receipt: July 25, 2016

Subject of Request: Self

Dear Mr. Hill:

This letter constitutes a supplemental response from the Executive Office for United States Attorneys, the official record keeper for all records located in this office and the various United States Attorney's offices.

To provide you with the greatest degree of access authorized by the Freedom of Information Act and the Privacy Act, we have considered your request in light of the provisions of both statutes.

The records you seek are located in a Privacy Act system of records that, in accordance with regulations promulgated by the Attorney General, is exempt from the access provisions of the Privacy Act. 28 CFR § 16.81. We have also processed your request under the Freedom of Information Act and are making all records required to be released, or considered appropriate for release as a matter of discretion, available to you.

Enclosed please find:

4 page(s) are being released in part (RIP).

The exemption(s) cited for withholding records or portions of records are marked below. An enclosure to this letter explains the exemptions in more detail.

(b)(6)
(b)(7)(C)

Because this matter is in litigation, we have omitted our standard paragraph concerning administrative appeal procedures.

If you have any questions about this matter, please contact AUSA Cheryl Sloan with the United States Attorney's Office for the Middle District of North Carolina.

Sincerely,



Kevin Krebs
Assistant Director

Enclosure(s)

Form No. 0021nofee - 4/11

EXPLANATION OF EXEMPTIONS

FOIA: TITLE 5, UNITED STATES CODE, SECTION 552

- (b) (1) (A) specifically authorized under criteria established by and Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual.
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

PRIVACY ACT: TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to Executive Order 12356 in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability eligibility, or qualification for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his identity would be held in confidence.

INCIDENT/INVESTIGATION REPORT

Mayodan Police Department

Page 2

OCA

2012-00287

Status Codes		L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found														
D R U G S	DCI	Status	Quantity		Type Measure		Suspected Type			Check up to 3 types of activity for each						
										Possess	Buy	Sale	Mfg	Importing	Operating	
O F F E N D R	Offender Used			<input type="checkbox"/> Yes <input type="checkbox"/> Unk		<input checked="" type="checkbox"/> No <input type="checkbox"/> N/A		Offender 1		Offender 2		Offender 3		Primary Offender Resident Status		
	Alcohol/Drugs			Age: 22 Race: W Sex: M		Age: 45 Race: W Sex: F		Age: Race: Sex:		<input checked="" type="checkbox"/> Resident		<input type="checkbox"/> Non-Resident		<input type="checkbox"/> Unknown		
S U S P E C T	Computer			<input type="checkbox"/> Yes <input type="checkbox"/> Unk		<input checked="" type="checkbox"/> No <input type="checkbox"/> N/A		Offender 4		Offender 5		Offender 6				
				Age: Race: Sex:		Age: Race: Sex:		Age: Race: Sex:		Age: Race: Sex:		Age: Race: Sex:				
Name (Last, First, Middle) HILL, BRIAN DAVID							Also Known As				Home Address 413 North 2nd Avenue, Mayodan NC					
Occupation DISABLED							Business Address									
DOB. / Age 05/23/1990 23		Race W	Sex M	Hgt 600	Wgt 185	Build BLO	Hair Color BLU	Hair Style	Hair Length	Eye Color BLU	Glasses					
Scars, Marks, Tattoos, or other distinguishing features (i.e. limp, foreign accent, voice characteristics)																
Hat		Jacket		Shirt/Blouse		Tie/Scarf		Coat/Suit		Pants/Dress/Skirt		Socks	Shoes			
Was Suspect Armed?		Type of Weapon						Direction of Travel			Mode of Travel					
VYR	Make	Model		Style		Color		Lic/Lis		Vin						
Name (Last, First, Middle)							D.O.B.	Age	Race	Sex	Mobile Phone					
W I T N E S S	Home Address							Home Phone	Employer			Phone				
	Suspect Hate / Bias Motivated: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>Unknown (Offender's motivation not known)</i>															
N A R R A T I V E	On Wednesday, August 22, 2012 at 1400 hours, I, Detective Sergeant [REDACTED] received a report of a possible Child Pornography case at 413 North 2nd Avenue in Mayodan, North Carolina. (B)(6) (B)(7)(c)															
	I met with Reidsville Police Detective [REDACTED] at his department to discuss this case. Detective [REDACTED] stated that he was a member of the Internet Crimes Against Children (ICAC) Task Force. According to Detective [REDACTED] he discovered that an Internet Protocol (IP) address in our jurisdiction was being used to download child pornography.															
Detective [REDACTED] said he obtained a subpoena for the IP address information, and determined that the IP address was registered to [REDACTED] in Mayodan, North Carolina. Using this information, I confirmed that [REDACTED] Brian David Hill, [REDACTED] police officer knowledge. (B)(6) (B)(7)(c)																
At 1430, I phoned Chief Charles Caruso and asked him to drive by the residence and photograph it with his cellular phone. I also requested that he check for any open and unsecured "Wi-Fi" signals in the area. He photographed the residence and noted that no unsecured "Wi-Fi" signals were being broadcasted by any residents in the area of 413																

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 2012-00287

Mayodan Police Department

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North 2nd Avenue.

While in Detective [REDACTED] office, he showed me the webpages and downloaded files that were retrieved by the ICAC software. The videos downloaded by the Hill's IP address (24.148.156.211) were child pornography, commonly referred to as Pre-Teen Soft Core (PTSC) and Pre-Teen Hard Core (PTH). I personally viewed a five second segment of each video and confirmed that it was child pornography.

(B)(6)

Detective [REDACTED] said that the person or persons using IP address 24.148.156.211 were (B)(7)(c) utilizing Peer to Peer (P2P) file sharing programs to download pornographic videos and pictures of children. These programs require that the person operating the computer search for specific content to download. Therefore, it was determined that whomever downloaded the images and videos using IP address 24.148.156.211 did so deliberately and not accidentally. Using this information, Detective [REDACTED] and I wrote a search warrant for [REDACTED] Brian David Hill and the premises and property located at 413 North 2nd Avenue in Mayodan, North Carolina.

**CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED**

Printed: 10/14/2013 10:36

[Handwritten Signature]
OCA: 201200287

Mayodan Police Department

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: **FURTHER INVESTIGATION** Case Mng Status: **ACTIVE**

Occurred: **08/22/2012**

Offense: **SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR**

Investigator: [REDACTED] (B)(6) Date / Time: **08/29/2012 14:24:00, Wednesday**

Supervisor: [REDACTED] (B)(7)(c) Supervisor Review Date / Time: **NOT REVIEWED**

Contact: [REDACTED] Reference: **Investigative Progress**

101 North 3rd Avenue, Mayodan

On Wednesday, August 29, 2012 at 1424 hours, I turned in the original search warrant and an inventory of seized items to the Rockingham County Clerk's Office. Both were signed and time and date stamped.

CASE SUPPLEMENTAL REPORT

Printed: 10/14/2013 10:36

Mayodan Police Department

OCA: 201200287

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: **FURTHER INVESTIGATION** Case Mng Status: **ACTIVE** Occured: **08/22/2012**
Offense: **SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR**

Investigator: [REDACTED] (B)(6) Date / Time: **10/03/2012 10:00:00, Wednesday**
Supervisor: [REDACTED] (B)(7)(c) Supervisor Review Date / Time: **10/03/2012 13:55:56, Wednesday**
Contact: [REDACTED]

Reference: *Investigative Progress*

On Wednesday, October 3, 2012 at 1000 hours, I met with North Carolina State Bureau of Investigation Special Agent [REDACTED] (SA [REDACTED]) (B)(6) (B)(7)(c) at his office and discussed this case.

SA [REDACTED] said he would conduct the forensic analysis of all the seized computer files and hard drives. SA [REDACTED] inventoried the items to be processed and gave me a copy. (B)(7)(c)

Received on
September 14, 2017 Brian D Hill
Signed

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Page 1 of 1

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ORIGIN ID: RDVA (202) 515-2121
DONNA PRESTON
DEPT OF JUSTICE/EOSA
600 E STREET., NW
WASHINGTON DC 20530
UNITED STATES US

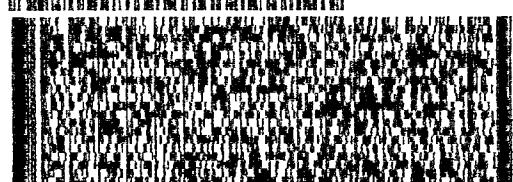
SHIP DATE: 13SEP17
ACTWT: 1.00 LB
CAD: 100065898/NET3920

BILL SENDER

TO: BRIAN HILL

310 FOREST ST.
APT. 2
MARTINSVILLE VA 24112
(276) 790-3505 REF: EOSA
INV:
PO: USA/SS/EOSA1MAN DEPT:

54911FF19D4C

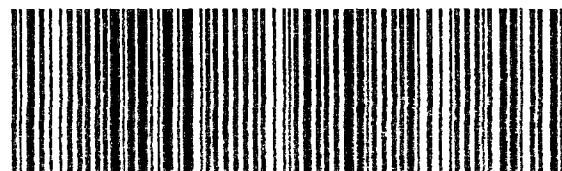


THU - 14 SEP 10:30A
PRIORITY OVERNIGHT

TRK# 7702 5141 0243
0201

24112
VA-US GSO

XH DANA



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